

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

CATHERINE JORDAN,

Plaintiff,

No. C 08-02273 WHA

v.

SUTTER HEALTH, a California corporation,
SUTTER HEALTH LONG-TERM
DISABILITY PLAN, and UNUM LIFE
INSURANCE CO. OF AMERICA, a Maine
corporation,

Defendants.

**CASE MANAGEMENT ORDER
IN DENIAL-OF-BENEFITS
ACTION UNDER ERISA**

After a case management conference, the Court enters the following order pursuant to Rule 16 of the Federal Rules of Civil Procedure ("FRCP") and Civil Local Rule 16-10:

1. All initial disclosures under FRCP 26 must be completed by **AUGUST 15, 2008**, on pain of preclusion under FRCP 37(c).
2. Leave to add any new parties or pleading amendments must be sought by **AUGUST 15, 2008**.
3. This is an ERISA action challenging a denial of disability benefits. A threshold question is the extent to which the "administrative record" should be augmented and/or discovery allowed. To tee up this issue, the following procedure will be used. On **OCTOBER 30, 2008**, defendant shall file the "administrative record" and its motion for summary judgment to be heard on a 35-day track. In this submission, please

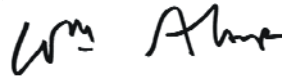
1 include a detailed declaration explaining what is and is not in the “administrative
2 record” and the manner and guidelines by which it was compiled. Then, plaintiff’s
3 opposition and any request for discovery shall be filed **THREE WEEKS** before the
4 hearing with any reply thereto **TWO WEEKS** before the hearing. Reply declarations will
5 be disfavored.

6 4. Depending on the outcome of the summary-judgment motion, this case may or may not
7 proceed further. If it does, a further case management order will issue.

8 5. A further case management conference is set for **JANUARY 15, 2009**, at **11:00 A.M.**

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10 **IT IS SO ORDERED.**

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12 Dated: August 7, 2008.



13 WILLIAM ALSUP
14 UNITED STATES DISTRICT JUDGE
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